

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

WP(C).No. 144 of 2007(P)

PETITIONER:

**JYOTHIS R.NAIR,
W/O.MADHUSOODANAN PILLAI,
JYOTHIS BHAVAN, VISHAVARSSERY KARA,
MANNAR P.O., ALAPPUZHA (UPPER PRIMARY SCHOOL
ASSISTANT, HINDU UPPER PRIMARY SCHOOL,
ERAMALLIKKARA).**

BY ADV. SRLS.SUBHASH CHAND

RESPONDENTS:

- 1. THE DIRECTOR OF PUBLIC INSTRUCTION,
OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM.**
- 2. THE DISTRICT EDUCATIONAL OFFICER,
OFFICE OF THE DISTRICT EDUCATIONAL OFFICER,
THIRUVALLA.**
- 3. THE DISTRICT EDUCATIONAL OFFICER,
OFFICE OF THE DISTRICT EDUCATIONAL OFFICER,
MAVELIKKARA.**
- 4. THE ASSISTANT EDUCATIONAL OFFICER,
OFFICE OF THE ASSISTANT EDUCATIONAL OFFICER,
CHENGANNOOR.**

**5. THE CORPORATE MANAGER,
TRAVANCORE DEVASWOM BOARD SCHOOLS/SECRETARY,
TRAVANCORE DEVASWOM BOARD, DEVASWOM BOARD BLDG.,
NANDHANCODE, THIRUVANANTHAPURAM.**

**6. MAYA, UPPER PRIMARY SCHOOL ASSISTANT,
DEVASWOM BOARD HIGHER SECONDARY SCHOOL,
CHERIYANADU.**

R1 TO R4 BY GOVERNMENT PLEADER (SMT. M.R. SREELATHA)

**BY ADV. SRI.P.PARAMESWARAN NAIR, SC, TDB
SMT.DEEPTHY.S.NATH
SRI.VEENA KRISHNAN
SRI.K.N.VENUGOPALA PANICKER, SC, TDB**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 13/04/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX IN W.P.(C) NO. 144 OF 2007 P

PETITIONER'S EXHIBITS:

- EXT.P1 TRUE COPY OF THE ORDER DATED 19.7.2005 PASSED BY FIRST RESPONDENT.**
- EXT.P2 TRUE COPY OF THE ORDER BEARING NO.3228/05/EDN. DATED 16.7.2005 PASSED BY FIFTH RESPONDENT.**
- EXT.P3 TRUE COPY OF THE ORDER DATED 20.10.2005 PASSED BY FIFTH RESPONDENT.**
- EXT.P4 TRUE COPY OF THE ORDER DATED 8.6.2006 ISSUED BY THE SENIOR SUPERINTENDENT IN THE OFFICE OF FOURTH RESPONDENT.**
- EXT.P5 TRUE COPY OF THE JUDGMENT DATD 5.8.2002 PASSED BY THIS HONOURABLE COURT IN OP NO.3857/2002.**
- EXT.P6 TRUE COPY OF THE ORDER DATED 29.3.2006 PASSED BY THIS HONOURABLE COURT IN WP(C) NO.2774/06C.**
- EXT.P7 TRUE COPY OF THE REPRESENTATION DATED 15.11.2006 SUBMITTED BY THE PETITIONER BEFORE FIRST RESPONDENT (EXCLUDING ANNEXURES).**

// TRUE COPY//

PS TO JUDGE

K. M. JOSEPH, J.

W.P.C. NO. 144 OF 2007 P

Dated this the 13th April, 2007

JUDGMENT

Heard counsel for the parties. During the pendency of the Writ Petition, pursuant to the order passed by this Court, the fifth respondent Manager has proceeded to conduct an enquiry and passed Annexure R5(a) order, which is produced along with the Statement filed on behalf of the Manager. Learned counsel for petitioner then submits that in the light of the said order, a decision may be ordered to be taken on Ext.P7. The Writ Petition is disposed of directing the first respondent to consider and take a decision on Ext.P7 in accordance with law and taking note of Annexure R5(a) order dated 27.3.2007, after hearing the petitioner and any other affected party also, within a period of six weeks from the date of receipt of a copy of this Judgment.

K. M. JOSEPH, JUDGE

kbk.